

1 IN THE UNITED STATES DISTRICT COURT
2

3 FOR THE SOUTHERN DISTRICT OF NEW YORK

4 JASON GOODMAN

Case No.: 1:21-cv-10878-AT-JLC

5 Plaintiff,

6 vs.

7 CHRISTOPHER ELLIS BOUZY, BOT
8 SENTINEL INC., GEORGE WEBB
9 SWEIGERT

**PLAINTIFF'S OPOSITION TO
DEFENDANT GEORGE WEBB
SWEIGERT'S MOTION TO DISMISS
FOR LACK OF PERSONAL
JURISDICTION**

10 Defendants

11 Plaintiff Jason Goodman by and for himself pro se (“Goodman” or “Plaintiff”)
12 submits this opposition to non-party George Webb Sweigert’s (“Webb” or “Defendant”)
13 motion to dismiss for lack of personal jurisdiction. (Dkt. No. 19, the “Motion”).

14
15 **PRELIMINARY STATEMENT**

16 Plaintiff respectfully submits this opposition to Defendant Webb’s motion
17 (Dkt. No. 19) which seeks to dismiss Plaintiff’s Complaint. For the reasons stated herein, the
18 Court should deny Defendant’s motion. Denial is appropriate as a matter of law. The causes
19 of action in Plaintiff’s Complaint are sufficiently pled and assert facially plausible and legally
20 cognizable claims. New York case law precedent is well established regarding claims arising
21 from multi-state internet publication of allegedly defamatory material and this honorable
22 Court does indeed have jurisdiction over all named defendants. Webb willfully provides
23 goods and services in New York, is paid by financial supporters in New York and cooperates
24 with individuals in New York who act on his behalf in the defamation of Goodman.
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28 **PLAINTIFF'S OPOSITION TO DEFENDANT GEORGE WEBB SWEIGERT'S MOTION TO
DISMISS FOR LACK OF PERSONAL JURISDICTION - 1**

Defendant Webb’s brother, non-party David George Sweigert (“David”) operates a blog at <http://sdny.org> that disseminates disinformation while disguised as a news outlet for the U.S. District Court for the Southern District of New York. Webb and his brother (hereinafter collectively “Sweigerts” or “Sweigert brothers”) have advanced an ongoing email campaign including false and defamatory statements to law enforcement including New York State Attorney General Letitia James. Together, the Sweigert brothers have sent dozens of emails falsely implicating Goodman in crimes. This tortious activity is directed at New York and entities that only exist in New York, granting the Court personal jurisdiction over non-domiciled defendants Webb and Christopher Bouzy (“Bouzy”).

STATEMENT OF FACTS

Defendant Webb and his brother, non-party David have been at the epicenter of a conspiracy to defame and harass plaintiff Goodman for more than five years. The Sweigert brothers along with defendant Bouzy and others, conspire to spread defamatory claims with the deliberate intent to damage Goodman's public reputation and destroy his business. The trio have conspired to incite public hatred against Goodman by falsely accusing him of criminal acts. They have presented no legitimate evidence, only their own fabricated statements. The conspiracy has operated continuously, in an ongoing manner for the past five years, up to and including today. Defendants have coordinated in person harassment conducted by non-party co-conspirators in New York and engaged campaigns to mobilize swarms of anonymous co-conspirators in an effort to eliminate Goodman's access to social media resources by overwhelming providers with complaints. **(EXHIBIT A)**

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1 Defendants' efforts have caused direct and measurable pecuniary damages to
2 Goodman. Defendants acted deliberately with malicious intent by spreading defamatory
3 claims they knew where false or reasonably should have known were false. The first
4 publication of the last unique defamatory statement was on December 20, 2020. Plaintiff's
5 complaint was filed timely, prior to the one-year statute of limitations expiration.

6

7 CHOICE OF LAW

8

9 Defendant argues that New York courts have no jurisdiction over his tortious
10 behavior on the internet because he is domiciled in Georgia. "A federal court sitting in diversity
11 applies the choice of law rules of the forum state," which, in the present case, is New York. Lee
12 v. Bankers Trust Co., 166 F.3d 540, 545 (2d Cir. 1999) (citing Klaxon Co. v. Stentor Elec. Mfg.
13 Co., 313 U.S. 487, 496, 61 S. Ct. 1020, 85 L. Ed. 1477 (1941)).

14 In defamation cases, "New York applies the law of the state with the most
15 significant interest in the litigation." Lee, 166 F.3d at 545; see also Babcock v. Jackson, 12
16 N.Y.2d 473, 191 N.E.2d 279, 283-84, 240 N.Y.S.2d 743 (N.Y. 1963) (employing the analysis
17 set forth in Restatement (Second) Conflict of Laws, § 379). Generally, in an action for
18 defamation, the Court should look chiefly to "the parties' domiciles and the locus of the tort"
19 to determine which state has the most significant interest in, or relationship to, the litigation.
20 Lee, 166 F.3d at 545 (internal citations and quotations omitted). Where the plaintiff suffered
21 injury usually determines the locus of the tort in an action for defamation. See *id.*; La Luna
22 Enters. v. CBS Corp., 74 F. Supp. 2d 384, 389 n.2 (S.D.N.Y. 1999). However, in a
23 defamation case where the statements at issue are published nationwide, "the tort essentially
24 lacks a locus, but rather injures plaintiff everywhere at once." *Condit v. Dunne*, 317 F. Supp.
25 PLAINTIFF'S OPOSITION TO DEFENDANT GEORGE WEBB SWEIGERT'S MOTION TO
26 DISMISS FOR LACK OF PERSONAL JURISDICTION - 3

1 2d 344, 353 (S.D.N.Y. 2004). Where nationwide publication occurs, courts must weigh
 2 several factors to determine which state has the most significant relationship to the litigation.
 3 See *id.* (citing *Davis v. Costa-Gavras*, 580 F. Supp. 1082, 1092 (S.D.N.Y. 1984)).
 4

5 It is most often assumed that the state of plaintiff's domicile is where the
 6 greatest injury occurred, and that this is the state with the most significant interest in the
 7 litigation. See *Lee*, 166 F.3d at 545. In *Hatfill v. Foster* the Southern District of New York
 8 applied Virginia choice of law principles to multistate libel claims against a publisher and
 9 republisher of an allegedly false article. 415 F. Supp. 2d 353, 364-65 (S.D.N.Y. 2006)
 10 (McMahon, J.). The *Hatfill* court observed that, although the Virginia Supreme Court had not
 11 specifically addressed where the "place of the wrong" would be in the context of multistate
 12 publications, "in practice, lex loci jurisdictions have shown remarkable consistency in how to
 13 resolve the question," looking to "the law of the jurisdiction where the plaintiff suffered the
 14 greatest injury." *Id.* at 364. Usually, that district is the one in which the plaintiff was
 15 domiciled, and the court held that the Virginia Supreme Court would "follow the lead" of
 16 such jurisdictions and define the place of injury as the district of the plaintiff's domicile,
 17 absent "strong countervailing circumstances." *Id.* at 365.

18 Considering the legal and practical underpinnings of application of the lex loci
 19 doctrine, the Court should find that the Virginia Supreme Court would likely "follow the lead
 20 of other lex loci jurisdictions [**15] and pinpoint the place of greatest harm in this multistate
 21 libel case in the district where the plaintiff was domiciled, absent strong countervailing
 22 circumstances." [*558] *Hatfill v. Foster*, 415 F. Supp. 2d at 365. Plaintiff has not alleged any
 23

1 facts or "strong countervailing circumstances" that weigh against finding Plaintiff was injured
2 most in New York, the state of his domicile. Accordingly, the Court should find that New
3 York law governs Plaintiff's claims, and this Court has personal jurisdiction over defendant.
4

5 DISCUSSION

6 Defendant contendins this Court lacks personal jurisdiction over him, as a
7 Georgia resident. Pursuant to New York CPLR 3211(a)(8), a cause of action may be
8 dismissed on the ground that the court lacks personal jurisdiction over the defendant. If
9 challenged, the plaintiff bears the burden of establishing such jurisdiction over the defendant.
10 (*Arroyo v Mountain School*, 68 AD3d 603 [1st Dept 2009]). Jurisdiction is a threshold issue
11 to be determined before other defenses in a motion to dismiss. (*342 E. 67 Realty LLC v Jacobs*,
12 106 AD3d 610, 611 [1st Dept 2013]; *Howard v Spitalnik*, 68 AD2d 803 [1st Dept
13 1979]).

16 The court may exercise personal jurisdiction over a non-domiciliary who, in
17 person or through an agent, transacts business within the state or contracts to supply services
18 in the state. (CPLR 302[a][1]). Posting defamatory content that was seen in New York or
19 with the intention that it would be distributed specifically in New York, does not constitute
20 transacting business within the state, as the material is accessible to a global audience. (See
21 *Best Van Lines, Inc. v Walker*, 490 F3d 239, 250 [2d Cir 2007] [posting of defamatory
22 material on website accessible in New York does not, without more, constitute transacting
23 business in New York for purposes of New York's long-arm statute]). Defendants have
24 enlisted the services of non-party New York residents to harass and defame Goodman in
25
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person in New York City. Discovery is likely to prove communication with individuals having specific intent to defame Goodman in New York. Additionally, defendants conspired with Webb's brother non-party David to disseminate and utilize information published on the websites www.sdnny.org and www.sdnny.info in the ongoing defamation of Goodman. Information published to these websites is used by defendants and republished on Bouzy's @cbouzy twitter account in furtherance of the conspiracy to defame Goodman and destroy his business. Email correspondence that included each of the co-defendants in addition to non-party co-conspirators was sent to the New York State attorney General Letitia James with the stated intention of provoking a criminal investigation into Goodman and his New York Corporation based on false claims published on the phony SDNY website and publicized by the co-defendants. Because this information is specifically focused on New York State, New York State law enforcement, the New York State Attorney General, and the U.S. District Court for the Southern District of New York itself, defendants' false claims give rise to a cause of action over which this honorable Court has unique jurisdiction.

CONCLUSION

For the reasons stated herein, the Motion to dismiss should be denied.

Signed this 9th day of June 2022

Respectfully submitted,



Jason

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(EXHIBIT A)

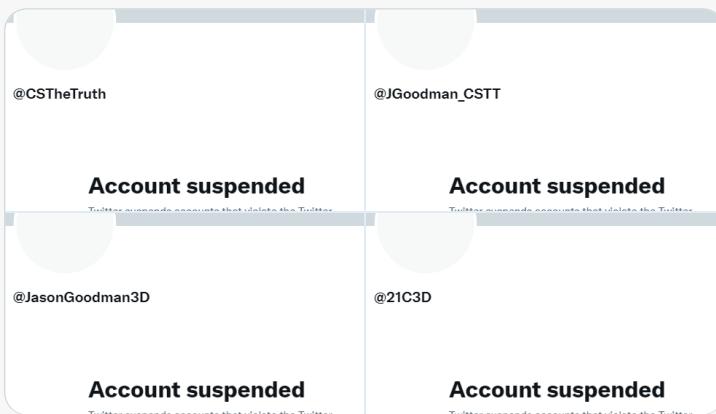


← Thread



Christopher Bouzy ✅ @cbouzy · 2h

Jason Goodman tried to get on the anti-Meghan bandwagon and go after me. Within 6 months, all of his Twitter accounts were suspended. This ends this season of FAFO.



17

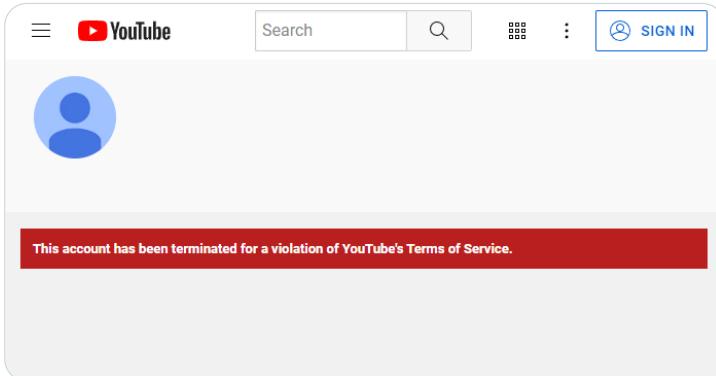
59

487



Christopher Bouzy ✅ @cbouzy · 2h

I forgot to mention 6 of his YouTube channels were terminated. Yes, he has had 6 YouTube channels terminated. Whoopsie doodle!



8

21

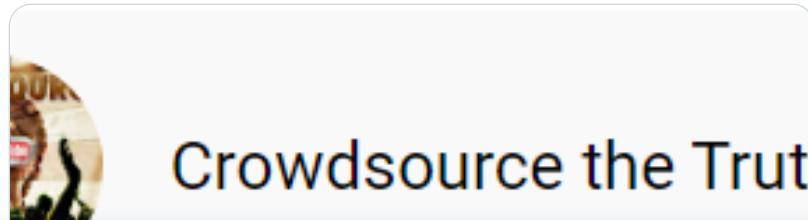
216



Christopher Bouzy ✅

@cbouzy

I wasn't joking; he has a new channel called Crowdsource the truth 7. It won't be around much longer, but he doesn't seem to get the message. 🤷‍♂️



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Christopher Bouzy ✅
@cbouzy

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6 Retweets 105 Likes

**Lorna_TVeditor** @Lorna_TVeditor · 1h

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Omigawwwwd!

...

**Entropy** @E_n_t_r_o_p_y_ · 2h

Replying to @cbouzy

Will organize reporting of it. Fuq that clown.

...



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**venus??** @dirtynoodlebowl · Jun 8

...

LMFAO WHEN RANBOO SAID THERE'S MULTIPLE GUYS COMING AT HIM I
SAW A CHAT MESSAGE THAT SAID "that's a first"[Show this thread](#)**Ian - Brazen Hussy** @isexton · 11h

...

Just a picture of "furious" Prince Harry at the Jubby.

#AngelaLevinIsALiar

